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May 8, 2013

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VIA ECF

Hon. Frank R. Alley, III
U.S. Bankruptcy Court for the
District of Oregon
405 E. Eighth Ave., Suite 2600
Eugene, OR 97401

Re: *Khalsa et al v. Lane Powell PC*, Adversary Proceeding No. 13-06040-fra
**Request for Status Conference and for Removal of Trial Date from
Calendar, and Clarification of Discovery Deadline**

Dear Judge Alley:

We represent Lane Powell PC, defendant and counter-claimant in the above-referenced adversary proceeding.

Mary Jo Heston and I generally agree with Mr. Jackson's representations in his May 7, 2013 letter (AP Doc. 16) filed with the Court. However, we would like to specifically request, on behalf of all the parties, that the Court set a status conference to address the issues outlined in Mr. Jackson's letter, and also enter an order removing the trial date of June 27, 2013 from the calendar.

Based on our conversation with Mr. Jackson yesterday, the parties in this adversary proceeding agree that both the discovery deadline of May 31, 2013 and the trial date of June 27, 2013, which were described in the Court's March 13, 2013 Summary of Proceedings & Minute Order in the main case (Doc. 416), will not be manageable for either side. We therefore request that the trial be rescheduled at or after a status conference with the Court.

We also want to clarify one point of Mr. Jackson's letter, regarding Lane Powell's discovery response deadline, to avoid any misunderstanding. Mr. Jackson's letter suggests that Lane Powell's responses are due on May 3, 2013. However, Lane Powell received plaintiffs' discovery requests by mail on April 12, 2013. There was no certificate of service attached, but we assume the requests were mailed on April 11, 2013, if not before. Our calculation of thirty days, plus three for mailing, makes Lane Powell's responses due on May 14, 2013. Therefore, to clarify, Lane Powell has requested that plaintiffs provide a two-week extension, through Tuesday, May 28, to respond to plaintiffs' requests. In the meantime, Lane Powell intends to serve



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discovery requests of its own, which will require an extension of the discovery deadline.

We believe that such discovery timing and other pre-trial matters can be efficiently addressed through a status conference. I will be out of the office until Thursday, May 16, 2013, but you can contact Mary Jo Heston or my partner Justin Leonard (direct: 971.634.0192) in my absence.

Sincerely,

/s/ Peter C. McKittrick

Peter C. McKittrick

cc: Dillon E. Jackson (via ECF)
Mary Jo Heston (via ECF)
Justin D. Leonard (via ECF)